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COURT CLERK IS ACCUSED

CHARGE THAT WILSON'S FUNDS ARE IN A TANGLE. Appellate Bivision Orders a Reference

President of Board of Justices Says He Has Not Kept Proper Books and Has Misappropriated Money. The Appellate Division yesterday or-

reference into charges that B. Wilson, clerk of the Seventh Municipal Court for ten years, has been guilty of official misconduct and should removed. The charges were brought by Justice Tierney as president of the Board of Municipal Justices.

The charges are that Wilson neglected to deposit regularly in a bank all the fees and court funds; that on various comsions he used for contingent and office expenses court funds deposited with him; that he withdrew from the court funds in his custody and applied to his own use \$250 c month, the amount of his salary, and that the \$250 a month so misappropriated was withdrawn before his monthly sainry was earned and payable by the city. Justice Tierney further charges that

Wilson did not keep proper and accurate books of account nor keep receipts for II money paid out.

An examination by a representative of the Commissioner of Accounts showed that on February 3, 1910, when Wilson should have had \$3,586.18 in his possession he could account for only \$989.73.

In his defence Wilson declared that he had duly deposited all fees and made legal and proper disposition of court funds. Part of the money received was as fees for the issuance of summonees-calendar fees—and belonged to the city. This was duly deposited, he says. The balance was received from litigants in payment of judgments or as tenders into court, and were held to be paid to the successful litigant. Such funds re-main in the possession of the clerk for long periods and sometimes are never called for or claimed by the person en-titled to them. He says that frequently he has to spend small sums for contingent tie has to spend small sums for contingent expenses and has to make such payments from his personal recourses. In view of that fact he doesn't think he was required to keep the court funds deposited in any particular bank and believes he was permitted by law to use a small part of the court funds to pay contingent ex-

He admits that on February 3, 1910, but denies that he should have had \$2,120 for tenders costs on appeal and deposits. Wilson states that the latter moneys are paid in enounts ranging from \$2 to \$500, and that since he was appointed, on May 1, 1900, he has received many thousands of dollars, most of which has been paid, but a small part of which probably never will be claimed. He doesn't know how much of this fund he should have on hand.

To arrive at the figures accurately he says he would have to check up all the items received since his appointm and by reason of his official duties hasn't been able to complete his examination at this time. He wants to find out how the at this time. percuptants for the Commissioner of Acaccountants for the commissioner of accounts arrived at the figures of \$2,420.18

Wilson denies that on February 3 last he had only \$880.73, but declares he had \$1,530.93 on that day. In addition to the money on hand he says the city owed him 3375 for contingent expenses and his January soldary of \$250. He says he has paid librants money due then promptly He declares he has always tried to keep

proper and acquate accounts, and while his books may not conform to the rules of bookkeeping or may not come up to the standard of the Commissioner of Accounts, his books show clearly and accurately all the money he has received

and paid out.
Counsel for Wilson asked that the case be sent before a referee because he did not have a chance to give proper answers in his examination before Commissioner Fosdick and because the proceedings for his removal involve a full examination of his accounts. Assistant Corporation Counsel Malone objected to the appointment of a referee on the ground that the most serious allegations largainst Wilson are substantiated by his own testimony.

AMERICANCSI West of B way.

TO-NIGHT OPENING GEO. EVANS. AND THE PROCESSION OF THE PROCESSIO and the reference would involve un-necessary expense

New Jersey's Belaware River Park Commission Organized.

TRENTON, May 27. - United States Senator Frank O. Briggs was elected to-day president of the Washington's Crossing areaident of the Washington's Crossing
National Park Commission created by REPUBLIC Theatre Formerly The
Belsico Thea. And & B'way the last session of the Legislature, which Te-merhas for its object the establishment of a public park as a memorial to the crossing of the Delaware at McConkey's Ferry by Gen. Washington and the Continental army. The commission recently appointed by Gov. Fort consist of fifty members. It elected Mayor Charles J. Fisk of Palinfield vice-president, Capt. William Libbey of Princeton secretary and William L. Doyle of Trenton treasurer.

AMUSEMENTS.



OPPOSITE NEW ROCHELLE HE-OPENS TO-DAY SPECIAL, NEW

ATTRACTIONS OPEN THE MIDNIGHT.

LAST DAY AND EVENING REAL ESTATE AND IDEAL HOMES SHOW MADISON SQUARE BARDEN

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ADMISSION SOCENTS.

AMUSEMENTS.

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LAST 7 NIGHTS
LAST 8 MATH.
ALL STAR CAST in CASTE CARRICK Mais. To day & Wed. 2:15.
"Rotticking coviedy, well acted."—Herald

HENRY MILLER & COMPANY IN MER HUS-LYCEUM Bway & 45th St. at 520
LAST THE SPITFIRE CHAS.
NIGHT THE SPITFIRE CHERRY

HUDSON W. 44th Nt., near B'way.
EXTRA MATTREE DECORATION DAY.
THE SPENDTHRIFT HAMUND
HEESE. CRITERION B'way & 44th St. Evs. 8:20.

FRANCIS WILSON THE BACHE KNICKERBOCKER HWAY, 28 St. EVS. 8:15.
MAIS, TO -JAN - 4Wed. 2.
SEASON'S MUSICAL COMEDY THUMPH
THE FANTASTICAL
MUSICAL COMEDY. THE ARCADIANS

CHARLES DILLINGHAN'S
GLOBE Byay & 46 St.
Eves. 8:10. Mat. To-day, 2:15. NEW YORK Busy & this St. Rvs. 8:15 Last Matinee To-day 2:15. LAST TIME TO-NIGHT. TWINS WHA CLIFTON CHAWFORD and Original Cast. Summer Prices. Best Seats \$

FORTUNE HUNTER

EXTRA MATINEE DECORATION DAY. JOE WEBER'S THE CLIMAN HALL TO d

CASINO H'way & Bate St. 1275. 2150. Last Mar bites, THE CHOCOLAIE SOLDIER LastMar Opera Co. THE CHOCOLAIE SOLDIER To day.

Next Four Weeds only slats Sats Only Mon. Shubert-Brady All Star Revival of THE MIKADO BROADWAY Then B'way-641 Ev. 8:15 Last Ma The JULLY BACHELORS with NORA BAYES BEGINNING THURSDAY, JUNE 2. LEW PIELDS. The Summer Widowers

reduction Cast Includes I.EW FIELDS
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SEAT SALE WILL OPEN MONDAY. BIJOU B'was A soth st. Hyes A 30 CYRIL SCOTT Time. THE LOTTERY MAN LYRIC 42d. West of Blway Evenings 8:8

for JIM THE PENMAN Leat2 HACKETT GL.W. of B' sax, Fys. Add. Clyde Fitch's THE CITY Later Mat Greatest Flay, THE CITY Later Mat

Lew MERALD SQ. B'way, alth st. Fivs. 8(15, Five) - MERALD SQ. Med To day D'inDay, Wed MARIE DRESSLER THELHE'S NIGHTIMA RE. DE WOLF HOPPER in A Mattinge Ideal,

NAZIMOVA'S RV.820 Last Mat. To day 2:20
38th Street Wark.
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39th & R'way Times. LITTLE EYOLF. ASTOR H Way, this St. Fv a 15, Mats. To day a

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Special Matinee Decoration Day.
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WALLACK'S B'GRY 4 SOID St. Fver. 8:15
Mais. To-day. Dec. Day & Wed.
MONTH H. B. WARNER IN Alias JIMMY VALENTINE

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Double-quick service to-day for the double holiday.

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The summer line schedule for season The summer time schedule for season of 1910 will go in effect Sunday, June 19th. Ticket agents of West Shere R. R. in New York and Brocklyn will sell tickets to all points on Ulster & Delaware B. R. at one fare for round trip on May 17th, 18th, 19th, good returning until May 31st, inclusive, account of Decoration Day, and giving an opportunity to select your summer home.

An illustrated Summer Book with map of the Catskills and list of hotels and boarding houses will be sent free or receipt of 8 cents postage.

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DECORATION DAY EXCURSIONS

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Special Trains leave New York for Manch Chank. May 29 and 36, S:25 A. M. | Bellowood Park, Hay 29 and 36, S:55 A. M Time shown is from West 23d St. Ferry, Cortlandt and Debromes Sts. Ferries, and Hudson Terminal via Hudson River Tubes, 5 to 10 minutes later.

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ALL TICKETS INCLUDE ADMISSION TO Greatest Amusement Kuterprise in the veri-Commseneing Sinturday, May 28 Leave West 128th St., N. R., 9896, 941, 0.52 11:30 A. M.; 12:10, 1307, 2505, 240, 320, 418, 513, 643, 7:30, 5:40 F. M. Leave Pier I. N. R., 943, 10:30, 1118, A. M. 1511, 1:00, 1:46, 256, 3:50, 4:16, 3:30, 6:30, 6:30, 7:13, 9:13 9:30 F. M. Leave Iron Pier, Coney Island, 10:36, 11:40 A. 4:225, 1:25, 2:16, 2:56, 3:35, 42:56, 5:25, 6:10, 7:10, 132, 6:25, 9:25, 10:40 F. M. resturning from Coney Island trip marked floss not go to 120th Street, N. R.

STEAMER TAURIS makes trips EVERY DAY to FISHING BANKS. Leave 128th St. V. P. 720 A. M. Pler (new) No. 1, N. R., 8:30 A. M. Past and tackle on board. Fare: Gentlemen. 75. Ladies, 50c.; Children, 25c.

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or vall), Corawall, Newburgh, New Hamburg, Mitton, Po'toepsie, Rondout & Kingston, Ozehestra

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